

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

STEVEN M. G., ¹)	
)	
Plaintiff,)	
)	
vs.)	CIVIL NO. 3:23-cv-01981-GCS ²
)	
COMMISSIONER of SOCIAL SECURITY,)	
)	
Defendant.)	

MEMORANDUM & ORDER

SISON, Magistrate Judge:

Before the Court is the parties' Agreed Motion to Remand to the Commissioner. (Doc. 23). The parties ask that this case be remanded for further proceedings pursuant to sentence four of 42 U.S.C. § 405(g). A sentence four remand (as opposed to a sentence six remand) depends upon a finding of error, and is itself a final, appealable order. *See Melkonyan v. Sullivan*, 501 U.S. 89, 98 (1991); *Perlman v. Swiss Bank Corp. Comprehensive Disability Protection Plan*, 195 F.3d 975, 978 (7th Cir. 1999). Upon a sentence four remand, judgment should be entered in favor of plaintiff. *See Shalala v. Schaefer*, 509 U.S. 292, 302-303 (1993).

The parties agree that, upon remand, the ALJ will "reevaluate the medical opinions of mental functioning; reassess the claimant's residual functional capacity and

¹ Plaintiff's full name will not be used in this Order due to privacy concerns. *See* FED. R. CIV. PROC. 5.2(c) and the Advisory Committee Notes thereto.

² This case was assigned to the undersigned for final disposition upon consent of the parties pursuant to 28 U.S.C. § 636(c). *See* (Doc. 12).

articulate how the assessed restrictions accommodate the claimant's mental limitations, including any limitations in concentration, persistence, or pace; if necessary, obtain additional vocational expert testimony; take further action to complete the administrative record resolving the above issues; and issue a new decision."

For good cause shown, the parties' Agreed Motion to Remand to the Commissioner (Doc. 23) is **GRANTED**. The final decision of the Commissioner of Social Security denying Plaintiff's application for social security disability benefits is **REVERSED and REMANDED** to the Commissioner for rehearing and reconsideration of the evidence, pursuant to sentence four of 42 U.S.C. § 405(g).

The Clerk of Court is directed to enter judgment in favor of Plaintiff.

IT IS SO ORDERED.

DATED: December 18, 2023.

 Digitally signed by
Judge Sison
Date: 2023.12.18
12:15:28 -06'00'

GILBERT C. SISON
United States Magistrate Judge